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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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WELLS.		
AMERICAN RICE INC.	)	
	)	
Petitioner,	)	
	)	Cancellation No. 41,652
vs.	)	
DUNMORE PROPERTIES, S.A.	)	05-06-2003
Registrant.	)	U.S. Patent & TMOfc/TM Mail Ropt. Dt. #40

## PARTIALLY CONSENTED MOTION TO EXTEND TIME

COMES NOW the Registrant, Dunmore Properties, S.A., by and through undersigned counsel, and hereby moves for a thirty (30) day extension of time to and including *June 5, 2003*, in which to answer or object to Petitioner's First Set of Interrogatories to Plaintiff and Petitioner's First Request for Production of Documents.

Additionally, Registrant respectfully requests that all unexpired discovery and trial dates be extended by a similar time frame, namely, thirty (30) days.

Petitioner, through counsel Michael S. McCoy, consented to the extension but only for fifteen (15) days. However, good cause exists for the remaining fifteen (15) days inasmuch as Registrant is a foreign entity, which communicates with counsel via a law firm not domiciled in the U.S. This has a tendency to complicate and delay the process of responding to written discovery. Moreover, Registrant's only counsel on this case has been, and continues to be, out of the office, overseas, on an unrelated matter – undersigned counsel has only been involved for purposes of filing the present Motion.

Pursuant to Trademark Rule 2.121(d), this Motion sets forth the dates as requested to be reset.

Respond to outstanding discovery:

June 5, 2003

DISCOVERY PERIOD TO CLOSE:

October 13, 2003

Testimony period for party in position of plaintiff

to close:

January 11, 2004

(opening thirty days prior thereto)

Testimony period for party in position of defendant

to close:

March 11, 2004

(opening thirty days prior thereto)

Rebuttal testimony period to close: (opening fifteen days prior thereto)

April 25, 2004

This request is not made for the purpose of unduly delaying proceedings in the Patent and Trademark Office.

Respectfully submitted,

DUNMORE PROPERTIES, S.A.

By:

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**Attorneys for Applicant** 

May 6, 2003 Atty. Dkt. 11495/I-4869

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 6th day of May, 2003, a copy of the foregoing MOTION TO EXTEND TIME, in connection with Cancellation No. 41,652 – American Rice Inc. vs. Dunmore Properties, S.A., was served, via U.S. first class mail, postage prepaid, to the following:

Michael S. McCoy, Esquire Fulbright & Jaworski, L.L.P. 1301 McKinney, Suite 5100 Houston, Texas 77010-3095

Skeryl J. Harris